UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF OHIO WESTERN DIVISION

:

RAEGAN DANIELS-GLYNN, : NO. 1:11-CV-00679

o.b.o. T.D.D.

:

Plaintiff,

:

vs. : ORDER

:

COMMISSIONER OF SOCIAL SECURITY,

:

Defendant. :

This matter is before the Court on the Magistrate Judge's Report and Recommendation (doc. 14), to which there were no objections. The Magistrate Judge recommended that Plaintiff's Complaint be dismissed for lack of prosecution.

Proper Notice has been given to the parties under 28 U.S.C. § 636(b)(1)(C), including notice that the parties would waive further appeal if they failed to file objections to the Report and Recommendation in a timely manner. <u>United States v. Walters</u>, 638 F.2d 947 (6th Cir. 1981). As of the date of this Order, no objections have been filed.

Having reviewed this matter <u>de novo</u> pursuant to 28 U.S.C. § 636, the Court finds the Magistrate Judge's Report and Recommendation thorough, well-reasoned, and correct.

Accordingly, the Court hereby ADOPTS and AFFIRMS the Magistrate Judge's Report and Recommendation (doc. 14), and

DISMISSES Plaintiff's Complaint (doc. 4) with prejudice for lack of prosecution. The Court further CERTIFIES pursuant to 28 U.S.C. § 1915(a) that due to Plaintiff's lack of prosecution, any appeal of this Order would not be taken in good faith and the Court therefore DENIES Plaintiff leave to appeal in forma pauperis. Plaintiff, a non-prisoner, remains free to apply to proceed in forma pauperis in the Court of Appeals. Callihan v. Schneider, 178 F.3d 800, 803 (6th Cir. 1999).

SO ORDERED.

DATED: May 8, 2012

s/S. Arthur Spiegel

S. Arthur Spiegel

United States Senior District Judge